

# Independent Report Gives CASA Programs High Marks

BLAINE CORREN

In California, Court Appointed Special Advocate (CASA) programs have given a voice to thousands of youths in dependency proceedings while mobilizing volunteers to advocate for children. In addition, these programs have developed some innovative strategies to meet the needs of children, parents, relatives, communities, volunteers, attorneys, and the dependency system itself.

These findings are part of a report submitted to the Judicial Council in July by Berkeley Policy Associates (BPA), a California-based social policy research firm. The report, *Peer Assessment and Compliance Review (PACR) Aggregate Report on California Court Appointed Special Advocate (CASA) Programs*, describes the programs' accomplishments, innovative strategies, and common challenges.

## BACKGROUND

The California Legislature requires the Judicial Council to report on the implementation of the CASA grants program and to make recommendations on the continuation and expansion of its funding. In 1999 the council, in partnership with the California CASA Association—a non-profit charitable organization that supports and advocates for local CASA programs throughout the state—created the Peer Assessment and Compliance Review (PACR) project. PACR was designed to strengthen and support local CASA programs.

Part of the PACR project is a field study of CASA programs in California. For the study, BPA was contracted to lead an evaluation team that interviewed a variety of individuals in the dependency court system—CASA staffs and volunteers, child protective services staffs, judicial officers, attorneys, foster parents, former foster youths, board members, and staff members from relevant commu-

nity organizations. The team visited 20 programs between October 1999 and October 2001.

## FINDINGS

The evaluation team concluded that CASA programs in California have achieved “a great deal” since their inception. The team found that the programs' accomplishments are primarily in four areas:

- Services to children;
- CASA program infrastructure and support for volunteers;
- Interaction and collaboration with the courts and other dependency system partners; and
- Community collaboration.

The report notes that advocates provide detailed and child-focused information to the court as a result of the time they spend with their assigned children. Study respondents report that this information is helping to ensure that children's needs are being met.

The report cites many specific CASA strategies that are highly effective and could be used as models by other counties. For example, at least 10 programs have initiated projects to meet

the needs of infants and toddlers in the system. Through this early intervention, CASA volunteers ensure that these children receive proper medical attention and are either returned home safely or placed in an appropriate residence.

Certain CASA programs are active in meeting the unique needs of emancipated youths (those who have reached the age of 18 while in the foster care system). CASA volunteers assist them

in enrolling in postsecondary schools and in finding housing and employment. Other programs focus on the education of foster children and encourage the court to appoint CASA volunteers as educational surrogates.

Although the evaluation team reports that most CASA programs are effective, it mentions a few issues that challenge many of the programs, such as volunteer recruitment, access to legal advice, and volunteer supervision.

● To view the full report, visit [www.courtinfo.ca.gov/programs/cfcc/pdffiles/casa-pacr02.pdf](http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/casa-pacr02.pdf). For more information, contact Stephanie Leonard, 415-865-7682; e-mail: [stephanie.leonard@jud.ca.gov](mailto:stephanie.leonard@jud.ca.gov). ■



Court Appointed Special Advocates (CASAs) are trained volunteers appointed by a judge or a commissioner to advocate for a child who is under the jurisdiction of the court. *Photo: Courtesy of the National CASA Association*

## Study to Improve Juvenile Dependency Counsel

BLAINE CORREN

A new study promises to generate statewide caseload standards that will ensure high-quality legal services for parents and children involved in juvenile dependency proceedings.

The Dependency Counsel Caseload Study is designed to improve the practice environment of court-appointed dependency counsel by ensuring that their caseloads are reasonable in light of the complex and difficult nature of their work. In addition, the project's organizers anticipate that workload standards will make it easier to secure funding for these court-appointed attorneys.

The Administrative Office of the Courts (AOC) and the American Humane Association are conducting the year-long study, which began in June.

## NEED FOR STUDY

Approximately 1,000 dependency counsel are appointed to represent more than 100,000 children and their parents in California each year.

The Trial Court Funding Act of 1997 shifted responsibility for the costs of juvenile dependency counsel services from the counties to the state. The Judicial Council annually allocates the funds designated for

court-appointed counsel to the state's 58 superior courts. Each court then contracts with local legal service providers.

Although responsibility for the costs of dependency counsel became a coordinated state function pursuant to the Trial Court Funding Act, neither the courts' provision of the services nor the standards for their quality have been similarly coordinated. Partly in response to concerns raised by the Legislature and Department of Finance, in April 2001 the Judicial Council directed the AOC staff to develop caseload standards for court-appointed dependency counsel.

## DESIGN OF STUDY

Study organizers began by developing performance standards for court-appointed dependency counsel. In July they conducted a series of statewide focus groups comprising dependency counsel, juvenile court judges, commissioners, referees, and appellate court justices. The focus groups identified the activities and tasks required at each stage of a juvenile dependency proceeding.

The next phase of the study, which began in August, involves examining how long it takes counsel to complete the activities and tasks. All court-appointed dependency counsel statewide

are required to record the time they spend on the identified tasks over a two-week period. Those results, coupled with additional input from the focus groups, will provide the AOC and the American Humane Association with enough information to develop caseload standards that reflect the required dependency counsel tasks and the time needed to complete them.

Previous attempts to establish caseload standards for court-appointed dependency counsel have met with some concern from practitioners. Certain counsel expressed concern that the standards would be set at an unreasonably low level and that attorney compensation would suffer as a result. Additional apprehension centered on the sentiment that caseload standards should reflect the fact that attorneys with support staffs can handle larger caseloads.

The study is designed to address these concerns by ensuring that caseload standards are not implemented without adequate funding and that the standards will vary based on factors such as the availability of support staff.

● For more information, contact Leah Wilson, AOC Center for Families, Children & the Courts, 415-865-7977; e-mail: [leah.wilson@jud.ca.gov](mailto:leah.wilson@jud.ca.gov). ■

## CASA Program

The Court Appointed Special Advocate (CASA) program was created to assist children who are subject to court proceedings because of abuse, neglect, or abandonment. A CASA is a trained volunteer appointed by a judge or commissioner to advocate for a child who is under the jurisdiction of the court. The CASA is responsible for conducting an independent investigation, providing information to the court about the child's needs, ensuring that court-ordered services are being provided, helping the child understand court proceedings, and making child-focused recommendations to the court based on the best interest of the child.

First implemented in the state of Washington, CASA programs have been providing services to children in California for more than 20 years. California has 39 local CASA programs in 40 of its 58 counties. In 2000 more than 4,000 CASA volunteers donated more than 409,000 hours to support nearly 7,100 children in California's child welfare system.

# Courts Improving Juvenile Justice

On August 15 Associate Supreme Court Justice Marvin Baxter addressed participants at the “Juvenile Delinquency and the Courts: Building A Better Future” conference at the Radisson Hotel in Berkeley. Sponsored by the Center for Families, Children & the Courts and the Foundation of the State Bar of California, the conference welcomed juvenile justice teams from 41 counties across the state. More than 350 judicial officers, public defenders, district attorneys, probation officers, educators, mental health professionals, and service providers came together to share ideas on endeavors such as drug and mental health courts, drug treatment programs, and youth mentoring programs.

Justice Baxter discussed the teams’ methods of improving the administration of justice in juvenile courts and the collaboration necessary to achieve their goals. Following is a transcript of his address.

On behalf of the Judicial Council and the California judiciary, I would like to welcome you to the “Juvenile Delinquency and the Courts: Building a Better Future” conference. It is a pleasure to be here with so many California judicial officers and juvenile justice professionals dedicated to improving the juvenile justice system in order to achieve increased public safety for victims and the community while ensuring due process, accountability, and rehabilitation for offenders.

The charge of the Judicial Council is to provide the courts with continuing policy guidance and to facilitate improvements in the administration of justice. Improving the court system’s ability to meet the needs of families and children has been a major focus of those efforts. The Judicial Council, through the

cut back as an extravagance in bad times.” That essential message needs repeating and must be reinforced continually.

As a member of the Judicial Council since 1996, I have witnessed extraordinary contributions by dedicated individuals such as those of you in attendance today. Judge Michael Nash, Presiding Judge of the Los Angeles County Juvenile Court,

**As many as four out of five of the two million youth who enter America’s juvenile justice system each year have some type of substance abuse problem.**

conference host and co-chair of the council’s Family and Juvenile Law Advisory Committee, is one such individual; another is Judge Lois Haight, Presiding Judge of the Contra Costa County Juvenile Court, whom I had the pleasure to serve with on the Judicial Council. Rarely is the important work of the juvenile court acknowledged. However, Judge Haight was recently recognized in the *Contra Costa*

delinquency cases, as many as four out of five of the two million youth who enter America’s juvenile justice system each year have some type of substance abuse problem. When youth engage in alcohol and other drug abuse, they, their families, and their communities suffer. In some cases, because of the strong correlation between substance abuse and delinquency, an in-

creased burden is also placed on the juvenile justice system. Many programs have targeted this area for prevention and early intervention strategies. Substance abuse programming for juveniles has been implemented in a variety of ways, including school-based education programs, parent education programs, and residential treatment programs.

Juvenile drug courts have been established to address issues

**More than 32 counties now operate 45 youth court programs throughout the state and are reporting success.**

*Times* (August 5, 2002) for her commitment to the juvenile court. As the article states, Judge Haight accepted a judicial appointment from Governor [Pete] Wilson in 1993 on the express condition that she be assigned to the juvenile bench. Recognizing the importance of the juvenile court assignment, she has elected over the past nine years to remain in that assignment. Many of you have similar stories in your counties, and it is that same commitment that we recognize today.

Unfortunately, even with communities and professionals

facing nonviolent, substance-abusing juvenile offenders who repeatedly cycle through the judicial system. The goal of these courts, like juvenile domestic violence and mental health courts, is to provide both the necessary sanctions and appropriate services to change their destructive behavior. Local teams of judges, prosecutors, defense attorneys, treatment providers, law enforcement officials, and others use the power of the court to alter behavior with a combination of intensive judicial supervision, escalating sanctions, mandatory drug testing, treatment, and

youth court programs throughout the state and are reporting success.

## TRUANCY COURTS

Another court-based collaborative effort brings together families, schools, and courts to improve school attendance. Truancy court programs recognize that truancy may be a significant predictor of juvenile delinquent behavior and long-term eco-

nomie hardship. Truancy courts intervene with elementary and middle school students who have a pattern of absenteeism. Families are assisted in accessing services and in developing strategies to increase school attendance. School attendance is monitored, and progress reports are sent to the court. All of these court-based efforts seek to reduce recidivism and enable youthful offenders to become productive

rather than destructive members of their communities.

And finally, we must all be mindful that the juvenile justice system needs to dedicate resources not just to the offender but also to the victim and to the community. The juvenile justice system needs to view the victim as central to the juvenile justice process. We must all work to repair the harm done to victims and communities, and offenders must be held accountable for their criminal activities and behavior.

As sponsorship of this event indicates, the Judicial Council is committed to addressing the needs of the juvenile justice system. It will continue to stress the importance of juvenile court; encourage local collaboration among all system participants, including the victim; and encourage the brightest in our judiciary to serve in the juvenile court.

As Judge Haight states in the recent news article, “Children are incredibly resilient; even the worst youngsters can turn themselves around with proper guidance. You can see change, really remarkable change.” And your presence today indicates your desire and your dedication to help facilitate that change.

So thank you very much for building a better future for our children. ■



Associate  
Supreme Court  
Justice Marvin  
Baxter

**Truancy court programs recognize that truancy may be a significant predictor of juvenile delinquent behavior and long-term economic hardship.**

Administrative Office of the Courts, plays a critical role in delivering essential services to the various courts throughout California. This entails advancing leadership, providing services, and facilitating collaboration. At conferences such as this, we have the opportunity to achieve such goals and celebrate our accomplishments.

The Judicial Council is concerned about the level of resources available to courts, including the juvenile courts. The extraordinary work of the juvenile court is vital to our society. It is important to recognize the efforts of all those who contribute. As the Chief Justice has stated, “Justice is not a luxury to be financed in good times and

dedicated to the juvenile justice system, the California juvenile court system is inundated with delinquency cases and struggles to develop a constructive response. The courts have made considerable efforts to collaborate with their communities in achieving the improved administration of justice. The courts, as exemplified by this conference and the many judicially led juvenile justice teams, have taken the lead in a number of areas to bring together juvenile justice professionals, the community, and victims.

## SUBSTANCE ABUSE

Substance abuse is one issue confronting the juvenile justice system. Obviously, while no single cause accounts for all

strong aftercare programs.

## TEEN COURTS

Teen courts have also been established to address delinquent behavior. Growing in popularity in California, teen courts are designed to be an effective alternative to the traditional justice system in juvenile delinquency cases. Teen courts focus on youths arrested on misdemeanor charges and even minor felonies—anything from graffiti writing to small-time drug sales. In October 2001 the Judicial Council, in collaboration with the Foundation of the State Bar of California, sponsored a teen court conference to provide information on establishing an effective teen court program. More than 32 counties now operate 45





# Juvenile Courts: Then, Now, and Tomorrow

*A Conversation With  
Judge Leonard P. Edwards*



Judge Leonard P. Edwards  
Superior Court of Santa Clara County

*It's not difficult to figure out why Judge Leonard P. Edwards has spent his entire judicial career working in juvenile courts. He loves kids and takes great satisfaction in helping families solve their problems and put their lives back together.*

*After becoming a public defender in 1969, Judge Edwards quickly found that juvenile court was where he wanted to be. In 1980 he was appointed to the Santa Clara County bench, where he later founded the court's family relations division. He established one of the first family drug courts in the country, serves as lead judge for the San Jose Victims Act Model Court, is the founder and past chair of Juvenile Court Judges of California, and has been involved with more juvenile- and family-related organizations than this publication has room to mention.*

*Judge Edwards was recently appointed president of the National Council of Juvenile and Family Court Judges. In September he completed his three-year tenure on the California Judicial Council. Court News spoke with him about the work of both of these councils and the current state of juvenile courts.*

## **Juvenile court has a unique history. How long has it been around?**

The first juvenile court was founded in Chicago in 1899. But the first juvenile court in California was established in 1903, and we are planning a celebration to commemorate its 100th anniversary next year.

Juvenile court is a unique institution and one of the few innovations in the justice system for which the United States can take credit. In most other areas, the United States has drawn from the experience of other countries. But we invented the juvenile court, and every nation in the world now has something resembling it.

## **What changes in juvenile law or juvenile court have you seen in the last 20 years?**

Juvenile court and juvenile law can be looked at through three separate tracks, each with its own history.

First, there are cases involving juvenile delinquency. These are the cases the public most often associates with juvenile law. Since the decision in *In re Gault* in 1967, in which the U.S. Supreme Court granted juveniles increased due process

rights, we've seen a dramatic criminalizing of delinquency law. The district attorney has entered the juvenile court environment, and the probation department is no longer the lead agency in these cases but simply supports the process.

In addition, the age for removing a youth from juvenile court has been lowered, and the standards for keeping a youth in juvenile court have been toughened. As a result, youths accused of serious felonies are tried in the adult criminal courts.

Second, juvenile courts have jurisdiction over status offenders—youths who are truant, who run away from home, or who are beyond the control of their parents. This conduct would not be criminal for adults, but our society expects children to abide by these laws. These actions were the “heart and soul” of the original juvenile court.

In 1974 Congress wrote a new federal law which created the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and established guidelines that states had to follow if they hoped to receive federal funding to support their juvenile justice systems. One of these reforms prohibited locking up status offenders. As a result of this action and because so many of our urban juvenile courts are overwhelmed with serious delinquency cases, status offenses are rarely brought into juvenile courts any more.

The third type of cases found in juvenile court are those involving abused and neglected children. These cases were the smallest part of the work of the juvenile court until 1980, when Congress passed the Adoption Assistance and Child Welfare Act. This legislation and subsequent federal and state statutes have put the juvenile court right in the middle of the child welfare system. So-called juvenile dependency cases now compose at least half of the work of the juvenile court.

## **What are the biggest challenges facing juvenile courts?**

There are many significant challenges facing the juvenile courts. One of our challenges is to make juvenile courts more “attractive” for judicial officers. Along with family court, it is perhaps the most difficult work judges have to face. It is a very stressful job because the calendars are crowded and the emotions run high. The work definitely takes its toll.

The Judicial Council is aware that many of our courts assign subordinate judicial officers to work in juvenile court, and the council has sponsored legislation to replace SJOs with judges as they retire or their positions become vacant. The idea is to have judges performing judicial work. I believe this is an excellent idea, but there are some challenges.

One of the problems is that California is a rotation state when it comes to judicial assignments. Very few of our more experienced judges stick around in juvenile court; rather, they opt to be transferred to other assignments. The juvenile court will not attract and keep experienced judges unless the working environment is significantly improved. That means lower caseloads for judges in the juvenile courts.

## **How do California juvenile courts compare with those in other states?**

From my involvement with the National Council of Juvenile and Family Court Judges, I have gained an appreciation of how California's juvenile courts compare on a national basis.

One of the problems we are experiencing in California is the sheer volume of cases coming into juvenile court. Compared to other states, our juvenile courts are overcrowded and overwhelmed. California's court system has not grown proportionately with the population. This puts more pressure on judges and commissioners and makes it difficult for them to take their time and devote the right amount of attention to each case.

Compounding this problem is the fact that, compared to many other states, California courts do not devote as many of the resources they do have to their juvenile departments. One of the reasons for this discrepancy is that most juvenile court judges outside California have spent their entire careers there and have never given a thought to changing assignments. Rotation of assignments is not a part of their judicial systems.

These stable assignments make a huge difference. Substantial administrative improvements in juvenile court do not happen overnight but often take 5 or 10 years. You can't expect that type of improvement to happen with rapidly changing leadership.

## **What are your plans as the new president of the National Council of Juvenile and Family Court Judges?**

The National Council is a wonderful organization that has had an impact on juvenile courts everywhere in the country. We have many California judges and justice system professionals besides me who work with the council.

We have a number of projects going on around the country that we wish to expand. One of those projects is our model court program. The National Council created guidelines for operating successful juvenile courts (which our own California Judicial Council endorsed by including them in its Standards of Judicial Administration, section 24.5) and identified courts around the country that were using those best practices. These courts convene on a regular basis to share ideas and improve the juvenile dependency system. The juvenile courts in the Superior Courts of Santa Clara and Los Angeles Counties are members of this model group.

An exciting development at the National Council is that we have a new executive director, Judge David Mitchell, who just retired from the Baltimore City Juvenile Court. He is a tremendous leader who will take this organization further than it has ever been before.

## **What does the future hold for juvenile courts?**

Again, we can look at the future of juvenile courts in the three categories of cases described earlier.

First, in delinquency cases, I wonder if we will ever see the pendulum swing back to treating youthful defendants as kids, or whether the system will continue to push them into adult courts. Right now, I don't think that can be predicted, given that there are movements in both directions.

I think we will see a rise in community attention toward status offender cases, but not necessarily in regard to juvenile courts. We may see more of these cases being brought to intervention programs, such as teen courts or peer courts, and other projects that encourage kids to stay in school.

With regard to dependency cases, I believe we will see juvenile courts adopting better practices and thereby reducing the time children remain before the court. By adopting model practices, several juvenile courts around the country have been able to reduce the time it takes to find a permanent plan for children and thus the time these cases remain within the juvenile court. I am hopeful that California will be able to take advantage of these promising practices and thereby actually reduce the numbers of children our juvenile courts oversee. ■

# *People v. Garcia*: Does It Expand The Application of Prop. 36?

**P**enal Code section 1210.1(b)(2) excludes persons from Proposition 36 who are convicted of a possessory drug offense and also are “convicted in the same proceeding of a *misdemeanor not related to the use of drugs* or any felony” (emphasis added). As used in section 1210.1, the phrase “misdemeanor not related to the use of drugs” means “a misdemeanor that does not involve (1) the simple possession or use of drugs or drug paraphernalia, being present where drugs are used, or failure to register as a drug offender, or (2) any activity similar to those listed in paragraph (1).” (Pen. Code, § 1210(d).) *People v. Garcia* (2002) 99 Cal.App.4th 38 is the first published opinion that discusses the application of section 1210(d).

The defendant was employed as a vocational nurse at a nursing home. When he failed to return from a restroom break, two staff members forced open the restroom door. They found the defendant lying on the floor unconscious. He had a syringe in one hand and fresh needle marks and blood on the wrist of the other hand. He also was found with several patches of fentanyl and with additional syringes. Defendant admitted taking the fentanyl and syringes from the nursing home's medical supplies and injecting himself with the drug. Defendant ultimately pleaded guilty to possession of fentanyl in violation of

Health and Safety Code section 11350, and to petty theft for stealing the drug. The trial court denied defendant's request for treatment under Proposition 36, in part because his conviction for petty theft excluded him under section 1210.1(b)(2).

The Court of Appeal reversed. The decision focused on the portion of section 1210(d) that would exclude a person from Proposition 36 if the misdemeanor did not “*involve . . . the simple possession or use of drugs*” (emphasis added). After reviewing the dictionary definition of “involve,” the court stated: “Under this general meaning of the word ‘involve,’ when a person steals an illicit drug for the sole purpose of consuming it and the person immediately ingests the drug, the theft necessarily ‘involves’ the simple possession or use of the drug. This is so because, being the sole purpose of the theft, the possession and immediate use of the stolen drug is a component part of the theft.” (*Id.* at p. 42, footnote omitted.) The court found its construction of section 1210(d) consistent with the objective of Proposition 36 as discussed in the ballot arguments—to provide treatment to persons who commit nonviolent drug offenses.

Viewed at one level, *Garcia* has limited practical application to cases subject to Proposition 36. The factual circumstances of the case are relatively rare. Viewed on another level, however, the case may significantly broaden

the application of section 1210.1, at least to the extent that courts are willing to interpret section 1210(d) liberally. In other words, *Garcia* may open the door to misdemeanants thought by many to be excluded from Proposition 36. Will treatment be available to a person who takes drugs from an individual for immediate use and is convicted of a violation of section 487(c)—grand theft from a person—as a specified misdemeanor? More importantly, what now is the status of driving under the influence of drugs in violation of Vehicle Code section 23152? It may be argued that, given *Garcia*'s interpretation of section 1210(d), driving under the influence of a recently consumed narcotic necessarily "involves the simple possession or use of drugs." At least one case, *People v. Canty* (2002) \_\_ Cal.App.4th \_\_ [02 D.A.R. 8593], decided by the same appellate district, held that driving under the influence of drugs is not a qualified crime because the defendant does more than simply consume the drugs; the offense also includes the element of driving while impaired.

One also must question, respectfully, whether *Garcia* adequately accounted for all portions of section 1210(d). The opinion turned on the interpretation of “involve” in the phrase “a misdemeanor that does not *involve* . . . the simple possession or use of drugs.” There is little doubt that Mr. *Garcia*’s theft of the drug for the purpose of

ingesting it “involved” the use of drugs. The key issue of statutory interpretation, however, is whether the petty theft was a crime involving the *simple* possession or use of drugs.

The purpose of Proposition 36 is to provide treatment to drug offenders who generally are a greater danger to themselves than to other members of the community. Indeed, the ballot argument emphasized that “Proposition 36 is strictly limited. It only affects those guilty of *simple drug possession*. . . . If convicted of a non-drug crime along with drug possession, they’re not eligible” (emphasis added). At another point the argument observed that “Proposition 36 only affects *simple drug*



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# CRIME and PUNISHMENT

*possession*” (emphasis added). Can it fairly be said that a person who steals drugs from a victim for personal use is entitled to the same consideration as a person who simply is found in illegal possession of a controlled substance? The statute’s use of the phrase “*simple* possession or use of drugs,” coupled with the ballot arguments, suggests that the enactors wanted treatment for those who injure themselves in the use of drugs, but intended to deny protected treatment to those who commit crimes against victims or otherwise present an objective danger to society.

Trial courts must follow *Garcia*. It will be left to the individual judge, however, to decide whether a case should be limited to its facts or whether *Garcia* is a signal that Proposition 36 should be given the widest possible interpretation. ■

*Author's Note: At the time of publication of this article, Garcia had been granted review by the California Supreme Court.*

# New Rules for Out-of-State Lawyers

**T**he California Supreme Court appointed a new panel to draft rules and procedures for out-of-state lawyers. The panel will modify current restrictions on the practice of law in California by attorneys who are not members of the California State Bar.

The Supreme Court appointed the Multijurisdictional Practice Implementation Committee in response to the final report (submitted earlier this year) of the court's Advisory Task Force on Multijurisdictional Practice. The task force had considered whether and under what circumstances lawyers who have not been admitted to the State Bar might be permitted to perform legal services in California.

After circulating draft proposals for public comment, the task force had made several recommendations in its report. The new panel will develop procedures for implementing those recommendations.

## RECOMMENDATIONS

The task force suggested that a registration system be established to permit specified categories of out-of-state lawyers to provide legal services in California. Those

covered by the system would include “in-house counsel providing out-of-court legal services exclusively for a single, full-time business entity employer” and “public-interest lawyers providing legal services to indigent clients on an interim basis before taking the California bar examination under the supervision of an experienced member of the State Bar . . . .”

The task force suggested that out-of-state lawyers be permitted to practice law in California in limited circumstances and that the definition of "unauthorized practice of law" be changed to accommodate transactional and other nonlitigating lawyers who provide legal services in California on a temporary and occasional basis. The task force also recommended permitting litigation attorneys to provide legal services in California in preparation for filing a lawsuit in this state, as well as services arising out of litigation pending in another jurisdiction.

The task force urged the court to appoint a committee to work through outstanding issues related to its recommendations. The Supreme Court determined

that such a committee should study the report and draft specific language to implement the task force's suggestions.

The Multijurisdictional Practice Implementation Committee anticipates circulating drafts for public comment in the course of its deliberations, and will provide a report and recommendations to the court by June 2003. ■

## Multijurisdictional Practice Implementation Committee

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